

State Rehabilitation Council (SRC)
February 28, 2018
9:00 a.m. to 12:00 p.m.

MINUTES

Utah State Office of Rehabilitation
Main Conference Room

Conference calls: 1-801-887-0290

Members Present: James Harvey Rob Ferris Eliza Detherage
Melissa Freigang(p) Helen Post Kelly Boehmer
Helen Saeed Jay Wheeler Brian Lahti
Ken Gourdin Rylee Williams
Jamie Wuthrich Velma Spencer (p)
Absent: Sandy Terry (ex) Lindsay Boerens (ex) Lavinia Gripentrog (ex)
Glenn Fitzpatrick

USOR Staff: Aaron Thompson Gordon Swensen Sylvia Gines
Jeff Pitts

Guests: Katie Carroll (DLC) Anne Stephens (DOH) Joey Hannah (DSPD)

Welcome / Mission Statement / Approval of Minutes	Action Items
<p>Chair / James Harvey - welcomed everyone; mission statement and goals were read by Ken Gourdin. Approval of minutes by Rob Ferris; 2nd by Eliza Detherage. James Harvey had the 2 new members introduce themselves; Jay Wheeler is an occupational therapist in Home Health; worked at the school for the deaf and blind for 12 years, early intervention specialist for 5 years. He worked with James in group homes with children with autism. Special Olympics coach when he was 15, have worked with adults and children with disabilities.</p> <p>Brian Lahti was paralyzed in 2004 senior in high school; went to Westminster College, law school in Berkley Calif., and worked at Finwick and West in San Francisco. He decided to move back to Utah; now at Magelby Cataxinos & Greenwood. He is a past client of VR after he was injured, & now his role is as a consumer on this council.</p> <p>James talked about the length of our meetings and changing them to have 4 hour meetings in the months of Feb., May, Aug., Nov., with about 2 hour meetings the months of Jan., March, April, June, Sept., Oct., with no meetings in July and December. Rob made the motion</p>	<ul style="list-style-type: none">• Council Members need to make sure you respond to the attendance email; if you don't you will be marked absent at the meeting if not there instead of excused.

to change the meeting length and Eliza with the 2 nd . Public Comment - none	
Representative Reports, Updates and Outcomes	Action Items
<p>Business Industry/Labor (James Harvey) - Has another person up for nomination.</p> <p>USILC (Rob Ferris) -Kris Fawson and Brooke Wilson are up at the Capitol with the Legislative session. SILC Conference in Orlando Florida; led a lot of sessions had wonderful weather; extra time with family.</p> <p>Community Rehabilitation Provider (Eliza Detherage) - BI&L (Melissa Freigang) - still looking for members on the UTBLN committee.</p> <p>Business Industry / Labor (Helen Saeed) - No report.</p> <p>Client Assistance Program (Lindsay Boerens)-</p> <p>Community Rehabilitation Provider (Glenn Fitzpatrick) - No report.</p> <p>Special Education (Lavinia Gripentrog) - No report.</p> <p>VR Counselor (Rylee Williams) - No report.</p> <p>DWS (Sandy Terry) - No report.</p> <p>Utah Parent Center (Helen Post) - See below.</p> <p>Consumer (Ken Gourdin) - No report.</p> <p>DSDHH (Kelly Boehmer) - announced that the new Director for DSDHH is Dan Mathis; he is from the Jean Massieu School of the Deaf, as part of the Utah Schools for the Deaf and Blind, where he supported students learning American Sign Language (ASL). Prior to that, he worked for Sorenson Communications, Davis Applied Technology College and Laurent Clerc National Deaf Education Center.</p> <p>DSPD (Jamie Wuthrich) - still looking at the revising of the settings rule and having someone coming here later to present.</p> <p>Navajo Nation (Velma Spencer) - No report.</p> <p>Service Provider (Jay Wheeler)-No report.</p> <p>Consumer (Brian Lahti)-No report.</p>	
Director's Updates	Action Items
<p>Aaron Thompson - VR update, power point for the WIOA State plan updates - Standard for Personal Development-education requirements for VR staff unchanged. - staffing needs consistent for next two years. - Staff trainings.</p> <p>Annual Estimates - 19,000 clients served in 2018 compared to 17,380 served 2017. - 4,700 new clients determined eligible for services, this level anticipated for 2019. - Supported employment - 179 clients in 2017, estimated 200 in 2018. - Order of Selection - since implemented in 2015 USOR has fully opened category 1 & 2. Category 3 individuals released off the waitlist (8,950) to date. Innovation and Expansion, State Rehabilitation Council Input. Progress Goals Year 1 - Goals 1.1 - assist clients with identifying and connecting with community resources for services which support engaging in VR services. Goals 1.2 revise and improve service delivery model for job placement services</p>	<ul style="list-style-type: none"> • Council positions open are 1 consumer and 1 Business Industry & Labor with member positions needing to be filled because of missing 5 or more meetings. 1 DSBVI, 1BI&L and 1 consumer • We need to have 51% members with disabilities; we need to be compliant. Targeting consumers with disabilities to be compliant. • PowerPoint sent out from dashboard.

<p>provided by Community Rehabilitation Programs (CRP's). Goals 1.3 improve and expand VR services for transition-aged youth and students with disabilities. Goal 1.4 expands capacity for pre-employment transition services opportunities. Goals 1.5 expands service delivery options for persons with disabilities who require supported employment services. Goals 1.6 Improve the provision, consistency and quality of statewide VR services for individuals who are blind and visually impaired. Progress of Goals Year 2 - Goals 2.1 assist clients in developing self-advocacy skills. Goals 2.2 expand career exploration and evaluation options for clients. Goal 2.3 assist clients in developing life skills such as interpersonal communication, money and time management. Goal 2.4 increase collaboration and coordination with partner community agencies whose goals, services and laws align with providing competitive integrated employment and career opportunities for persons with disabilities. Year Three (2018-2019)</p> <p>Goal 3.1: Increase outreach and service provision to ethnic and racial minority populations.</p> <p>Goal 3.2: Increase Job Readiness skills in VR clients as they prepare to enter the workforce</p> <p>Goal 3.3: Improve coordination between USOR and employers to benefit clients in obtaining competitive integrated employment and career exploration opportunities</p> <p>Goal 3.4: Provide improved services to persons with disabilities who are experiencing segregated employment, subminimum wages, or sheltered work and day-program supports in order to increase competitive integrated employment.</p>	<ul style="list-style-type: none"> • WIOA partner to speak in an upcoming meeting - Wagner Peyser (TBD) • After 2nd qtr. update dashboard • Overview of updates being made in VR to be given next month (SRC input, counselors, trainings, annual estimates on who we serve and anticipate serving). • Jobs.utah.gov/wioa for the state funds document
<p>Helen Post - she is the Executive Director of the Parent Center for 28 years. She started with the Parent Center as a Parent for her daughter and started volunteering and within a year became the Director. The model that is used at the Center is related to the Giant Redwood trees; they have a shallow root system, grow only in groves and intertwine their roots. At the Parent Center we intertwine with one another and hold each other up. To date there are 29 funding sources to keep the center going for the families that we help. The Parent Center provides free training, information and assistance statewide to parents of children and youth with all disabilities (physical, mental, learning and emotional) and the professionals who work with them. There are IEP Advocates that work with parents needing support before, during and after for their children, funding for this comes from the State Board of Education. There are more than 70 online training modules that get utilized more; in terms of attendance (guardianship training is a packed room). Have staff that help with Social Security, Medicaid,</p>	<p>Action Items</p> <p>https://www.youtube.com/watch?v=QCt9DBS0sYQ</p>

navigate systems, special health care needs, waivers. There is a Family to Family Network that is a resource for DSPD services; there is a new website being developed. Question asked was How much money does the center bring in a year? Budget is 1.4 million dollars this year. **Jeff Pitts** - 511 update: WIOA 511 section added July 2016 for subminimum wage, employers or sheltered workshops, apply for a 14c certificate from the Dept. of Labor. Those 25 years and older are required to receive career counseling from USOR; those 14-24 have 3 requirements: career counseling, pre-ets, & VR case closure. Two major updates: the AWARE team (case management system) is how info will be entered & stored, whereas before a spreadsheet was used and paperwork scanned. The Dept. of Labor will be auditing employers randomly to check on them to see if they are in compliance with the law. I received word on 2 audits and one was good the other had not done anything which they were then told of the consequences if not in compliance; they made the required changes and are now in compliance. Question from James Harvey was what percentage of those that are interested in VR. 33% were interested and half of those (17%) have followed through. More employers are willing to encourage the client to follow through. Is there a trend of employers changing subminimum wage to minimum? They increase day activities and less work hours to pay minimum wage. Settings rule and Employment first laws are also changing how they are doing that. The thing to remember is that they have options with their lives and want them to know that they can change if it benefits them.

Anne Stephens Home and Community based manager from Dept. of Health & Joey Hannah Program manager with DSPD- Settings Rule is a federal rule passed in 2014, states have a timeline to be compliant extended to March 2022. The final rule establishes Mandatory requirements for the qualities of home and community-based settings including discretion for the Secretary to determine other appropriate qualities

- Settings that are not home and community-based
 - Settings presumed not to be home and community-based. State compliance and transition requirements
- The Home and Community-Based setting:
- Is integrated in and supports access to the greater community.
 - Provides opportunities to seek employment and work in competitive integrated settings, engage in community life, and control personal resources
 - Ensures the individual receives services in the community to the same degree of access as individuals not receiving Medicaid home and community-based services. Ensures an individual's rights of privacy, dignity, respect, and freedom from coercion and restraint.
 - Optimizes individual initiative, autonomy,

<https://www.medicaid.gov/medicaid/hcbs/downloads/final-rule-fact-sheet.pdf>

<https://www.dol.gov/odep/pdf/WIOALimitationsUseOfSubminimumWage.pdf>

<https://www.dol.gov/odep/topics/EmploymentFirst.htm>

<http://health.utah.gov/lrc/hcbstransition/>

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<p>and independence in making life choices.</p> <ul style="list-style-type: none"> · Facilitates individual choice regarding services and supports, and who provides them. Modifications of the additional requirements must be: · Supported by specific assessed need · Justified in the person-centered service plan · Documented in the person-centered service plan which includes: · Specific individualized assessed need · Prior interventions and supports including less intrusive methods · Description of condition proportionate to assessed need. · Ongoing data measuring effectiveness of modification · Established time limits for periodic review of modifications · Individual's informed consent · Assurance that interventions and supports will not cause harm. Settings that are NOT HCBS: · Nursing Facilities · Institution for Mental Diseases (IMD) · Intermediate Care Facility for Individuals with Intellectual Disabilities (ICF/IID) · Hospital Settings Presumed NOT to be HCBS: · Settings in a publicly or privately-owned facility providing inpatient treatment. · Settings on grounds of, or adjacent to, a public institution. · Settings with the effect of isolating individuals from the broader community of individuals not receiving HCBS. <p>Utah was required to submit a plan within one year of the effective date of the final rule; The Plan included elements, timelines, and deliverables as required by the Centers for Medicare and Medicaid Services. Transition Plan Progress: Preliminary Categorization of Sites Provider; Self-Assessments; State Review and Validation Site; Assessments Systemic and Site Remediation. Question from Jay Wheeler was how do you recognize the mechanism for the modification on restriction, what does that look like? When assessing for the need of restriction it is first the role of the case manager and then may need to go to the Human Rights committee. James Harvey asked about the behavioral plan and life skills development, which if needed was taken to the Human Rights Committee to help those have full access to. Brian Lahti asked from the legal aspect was what kind of process for that. There is an appeal council which is a combination of people from the different divisions DOH, Adult Services and parents. Informed consent is one of the requirements which may involve the appeal process.</p>	
Open Discussion	
<p>Rob Ferris asked who still needed to sign the By-Laws Compliance form, which we had 5 council members in attendance that needed to sign, still need two more members to sign.</p>	<ul style="list-style-type: none"> • Letter to Jon Pierpont drafted by James Harvey letting him know what's going on here. As discussed with goal #3.
Next Meeting	
March 28, 2016	9:00 a.m. - 11:00 a.m.